

Exhibit N

U.S. Patent No. 5,410,667			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
1	“means . . . for selecting available memory space in said disk drives to store said received stream of data records thereon”	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The corresponding structure is control unit 101 including cluster control 111.</p> <p>The corresponding function is: responsive to the receipt of a stream of data records from said data processor, selecting available memory space in said disk drives to store said received stream of data records thereon.</p> <p><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • <i>See</i> 5:39-45; 7:24-30; 17:63-66. <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p> <p><u>Function:</u> for selecting available memory space in said disk drives to store said received stream of data records thereon</p> <p><u>Structure:</u> storage control unit 101</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 1, 2 and associated disclosure, Col. 5:48-6:38, Col. 7:20-48, Col. 17:43-18:62. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1	“means for writing said received stream of data records in said selected	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The corresponding structure is control unit</p>	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p>

U.S. Patent No. 5,410,667

Claim No(s.)	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
	available memory space”	<p>101 including cluster control 111.</p> <p>The corresponding function is: writing said received stream of data records in said selected available memory space.</p> <p><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • <i>See</i> 5:59-68. <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p><u>Function</u>: writing said received stream of data records in said selected available memory space</p> <p><u>Structure</u>: storage control unit 101; disk drive manager 103.</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 1, 2 and associated disclosure, Col. 5:48-6:38, Col. 7:20-48, Col. 17:43-18:62. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1	“means . . . for generating a data record pointer for each of said data records in said stream of data records identifying the physical memory location”	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The specification does not disclose structure that is specifically identified as performing the function of generating a data record pointer.</p> <p>Corresponding function is: responsive to said writing means, generating a data record pointer for each of said data records in said stream of data records identifying the physical memory location</p>	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p> <p><u>Function</u>: generating a data record pointer for each of said data records in said stream of data records identifying the physical memory location of said data record</p> <p><u>Structure</u>: storage control unit 101</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 1-4 and associated disclosure, Col. 3:49-4:39, Col. 5:48-

U.S. Patent No. 5,410,667

Claim No(s.)	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p>of said data record.</p> <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>6:38, Col. 8:35-55, Col. 17:44-18:62.</p> <ul style="list-style-type: none"> • Testimony by Sun's expert, Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1	<p>"means . . . for copying said identified data record including"</p>	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The corresponding structure is control unit 101, including cluster control 111, storage path 200-0, and processor 204-0.</p> <p>The corresponding function is: responsive to the subsequent receipt of a data record copy request identifying one of said data records stored in said disk drives, copying said identified data record.</p> <p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • <i>See</i> 10:38-12:28; Fig. 5. <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. 	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p> <p><u>Function</u>: copying said data record</p> <p><u>Structure</u>: storage control unit 101; disk drive manager 103.</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 1-4 and associated disclosure, Col. 2:1-3:16, Col. 8:35-55, Col. 9:20-14:11. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.

U.S. Patent No. 5,410,667

Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p>patent.</p> <ul style="list-style-type: none"> NetApp reserves the right to rely on any evidence identified by Sun. 	
1	<p>“means for identifying the physical memory location of the requested data record as specified by its data record pointer”</p>	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The specification does not disclose structure that is specifically identified as performing the function of generating a data record pointer that is duplicative of said data record pointer.</p> <p>The corresponding function is: identifying the physical memory location of the requested data record as specified by its data record pointer.</p> <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. NetApp reserves the right to rely on any evidence identified by Sun. 	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p> <p><u>Function</u>: identifying the physical memory location of the requested data record</p> <p><u>Structure</u>: storage control unit 101.</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 3, 4 and associated disclosure, Col. 8:35-55, Col. 9:20-14:11, Col. 17:44-18:63. Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. Sun reserves the right to rely on any evidence identified by NetApp.
1	<p>“means for generating a data record pointer that is duplicative of said data</p>	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p>	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p>

U.S. Patent No. 5,410,667

Claim No(s.)	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
	record pointer as the data record pointer for said copy of said requested data record”	<p>The specification does not disclose structure that is specifically identified as performing the function of generating a data record pointer that is duplicative of said data record pointer.</p> <p>The corresponding function is: generating a data record pointer that is duplicative of said data record pointer as the data record pointer for said copy of said requested data record.</p> <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p><u>Function</u>: for generating a data record pointer that is duplicative of said data record pointer as the data record pointer for said copy of said requested data record</p> <p><u>Structure</u>: storage control unit 101.</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 3, 4 and associated disclosure, Col. 2:8-16, Col. 8:35-55, Col. 9:20-65, Col. 12:29-14:11, Col. 18:34-62. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1	“means for identifying said duplicative data record pointer as a pointer to a copy of said requested data record”	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The specification does not disclose structure that is specifically identified as performing the function of identifying said duplicative data record pointer as a pointer to a copy of said requested data record.</p> <p>The corresponding function is:</p>	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p> <p><u>Function</u>: identifying said duplicative data record pointer as a pointer to a copy of said requested data record</p> <p><u>Structure</u>: storage control unit 101.</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction

U.S. Patent No. 5,410,667			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p>identifying said duplicative data record pointer as a pointer to a copy of said requested data record.</p> <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>may be found, for example, at Figs. 3, 4 and associated disclosure, Col. 2:8-16, Col. 8:35-55, Col. 9:20-14:11, Col. 18:34-62.</p> <ul style="list-style-type: none"> • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1	“means for maintaining data indicative that both said data record pointer and said duplicative data record pointer point to said requested data record”	<p>This term is subject to 35 U.S.C. § 112, ¶ 6.</p> <p>The specification does not disclose structure that is specifically identified as performing the function of maintaining data indicative that both said data record pointer and said duplicative data record pointer point to said requested data record.</p> <p>The corresponding function is: maintaining data indicative that both said data record pointer and said duplicative data record pointer point to said requested data record.</p> <p><u>EXTRINSIC EVIDENCE</u></p>	<p>This limitation is a means-plus-function limitation governed by 35 U.S.C. §112, paragraph 6.</p> <p><u>Function:</u> maintaining data indicative that both said data record pointer and said duplicative data record pointer point to said requested data record</p> <p><u>Structure:</u> storage control unit 101; disk drive manager 103.</p> <p><u>EVIDENCE:</u></p> <ul style="list-style-type: none"> • Intrinsic evidence supporting Sun's construction may be found, for example, at Figs. 3, 4 and associated disclosure, Col. 2:8-16, Col. 8:35-55, Col. 9:20-14:11, Col. 18:34-62. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of

U.S. Patent No. 5,410,667

Claim No(s.)	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>skill in the art in the context of its use in the '667 patent.</p> <ul style="list-style-type: none"> • Sun reserves the right to rely on any evidence identified by NetApp.
1, 11, 31	“data record”	<p>PROPOSED CONSTRUCTION: A data block.</p> <p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • <i>See</i> 2:45-58; 7:66-33; 9:20-65; 10:39-11:9; 12:30-59; 17:44-18:62. <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>PROPOSED CONSTRUCTION: Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean:</p> <p>“all or portion of a data file.”</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • '667 Patent, Fig. 7 and associated disclosure, Col. 1:30-36, Col. 7:66-8:12, Col. 17:43-18:62. • U.S. Patent No. 5,403,639. • record: a collection of related data or words treated as a unit and saved in a position dependent fashion within a file or other such unit. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 4th Ed. (1988), p. 796. • file: a collection of related records treated as a unit. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 4th ed. (1988), p. 372. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of

U.S. Patent No. 5,410,667			
Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
1, 2, 11, 12, 31, 32	“data record pointer”	<p>PROPOSED CONSTRUCTION: A data item comprising a physical address that tells where to find a desired data block.</p> <p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • <i>See abstract; 2:45-58; 7:66-33; 8:52-67; 9:1-5; 9:20-65; 10:39-11:9; 12:30-59; 17:44-18:62.</i> <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • “pointer a data item consisting of an address that tells where to find a desired item.” Downing, Douglas et al., <u>Dictionary of Computer and Internet Terms</u> (2000): • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun 	<p>skill in the art in the context of its use in the '667 patent.</p> <ul style="list-style-type: none"> • Sun reserves the right to rely on any evidence identified by NetApp. <p>PROPOSED CONSTRUCTION: Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean:</p> <p>“an identifier that indicates the location of a data record.”</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • '667 Patent, Figs. 3, 8 and associated disclosure, Col. 2:8-16, Col. 8:35-55, Col. 9:20-28, Col. 12:29-14:11, Col. 18:34-62, claims 1, 2, 11, 12, 31, 32. • pointer: an identifier that indicates the location of an item of data. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 4th ed. (1988), p. 703. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
31	“successive ones of said n disk drives in a selected redundancy group”	PROPOSED CONSTRUCTION: More than one of the disk drives in a selected redundancy group.	PROPOSED CONSTRUCTION: Sun contends this phrase does not require construction because the phrase is clear on its face.

U.S. Patent No. 5,410,667

Claim No(s.)	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • <i>See</i> 3:50-4:20; 7:20-48. <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun 	<p>EVIDENCE:</p> <ul style="list-style-type: none"> • '667 Patent: Fig. 2 and associated disclosure, Col. 2:17-3:6, Col. 3:49-4:2, Col. 5:48-6:38, Col. 7:20-48, Col. 17:43-18:62, claim 31. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1, 11, 31	<p>“data record copy request identifying one of said data records”</p>	<p>PROPOSED CONSTRUCTION: Request from a data processor to copy a particular identified data block.</p> <p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • 2:45-58; 7:66-33; 9:20-65; 10:39-11:9; 12:30-13:10; 17:44-18:62; Fig. 5. <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>PROPOSED CONSTRUCTION: “command initiating a copy operation on an identified data record”</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • '667 Patent: Figs. 5, 10 and associated disclosure, Col. 2:1-2:16, 9:20-28, 9:38-52, Col. 10:37-11:54, Col. 12:60-13:39, claims 1, 11, 31; Pros. History. Aug. 31, 1994 Amendment and Response to Office Action and references discussed therein. • request: a directive, by means of a basic transmission unit, from an access control program to perform a data-transfer operation or auxiliary operation. IBM DICTIONARY OF COMPUTING, (1994), p. 574. • request data: ... data to be put in a job message cue that is used by a job, for example, a single command or a group of commands. IBM

U.S. Patent No. 5,410,667

Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
			<p>DICTIONARY OF COMPUTING, (1994), p. 574.</p> <ul style="list-style-type: none"> • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
11, 31	“duplicate of”	<p>PROPOSED CONSTRUCTION: Exact copy of.</p> <p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • See Abstract; 1:5-11; 2:8-16; 9:20-65. <p>EXTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • “duplicate (1) to make an exact copy of.” <u>The American Heritage Dictionary</u> (2000). • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<p>PROPOSED CONSTRUCTION: Sun contends this term does not require construction because the term is clear on its face.</p> <p>EVIDENCE:</p> <ul style="list-style-type: none"> • '667 Patent: Col. 2:8-16, Col. 8:35-55, Col. 9:20-45, Col. 12:29-14:11, claims 11, 31; Aug. 31, 1994 Amendment and Response to Office Action and references cited therein. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.
1, 11, 31	“maintaining data indicative”	<p>PROPOSED CONSTRUCTION: Storing information that describes.</p> <p>INTRINSIC EVIDENCE</p> <ul style="list-style-type: none"> • See 9:20-14:12; Figs. 3, 4 and 	<p>PROPOSED CONSTRUCTION: Sun contends this term does not require construction because the term is clear on its face.</p> <p>EVIDENCE:</p>

U.S. Patent No. 5,410,667

Claim No(s).	Claim Term	NetApp's Proposed Construction and Supporting Evidence	Sun's Proposed Construction and Supporting Evidence
		<p>accompanying text.</p> <p><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> • Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • NetApp reserves the right to rely on any evidence identified by Sun. 	<ul style="list-style-type: none"> • '667 Patent: Figs. 3, 4 and associated disclosure, Col. 2:1-3:16, Col. 9:20-14:12, claims 1, 11, 31; Aug. 31, 1994 Amendment and Response to Office Action and references cited therein. • Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '667 patent. • Sun reserves the right to rely on any evidence identified by NetApp.